# Public Notice

**US Army Corps of Engineers**
Fort Worth District

Applicant: Laredo Town Center, L.P.

Permit Application No.: 200600411

Date: April 13, 2007

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

**Regulatory Program**

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

**Section 10**

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States.* The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

**Section 404**

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands.* The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

**Contact**

Name: Ms. Kelly Allen

Phone Number: (817) 886-1732

JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

AND

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUBJECT: Application for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) and for water quality certification under Section 401 of the CWA to discharge dredged and fill material into waters of the United States (U.S.) associated with the construction of the Laredo Town Center Phase II commercial and retail development in the City of Laredo, Webb County, Texas.

APPLICANT: Laredo Town Center, L.P.
Mr. Raudel Garza
3607 Plantation Grove, Suite 104
Mission, Texas 78572

APPLICATION NUMBER: 200600411

DATE ISSUED: April 13, 2007

LOCATION: The proposed commercial and retail development would be located east of Bob Bullock Loop and west of Lake Casa Blanca, directly adjacent to the Laredo Airport Passenger Terminal in the City of Laredo, Webb County, Texas. The proposed project would be located approximately at UTM coordinates 455598.19 East and 3047035.78 North (Zone 14) on the Laredo East 7.5-minute USGS quadrangle map in the USGS Hydrologic Unit 13080002.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to construct the Laredo Town Center Phase II commercial and retail development in the City of Laredo (Sheets 1-19 of 19). The proposed project would consist of an open-air lifestyle center with approximately 229,137 square feet of retail space and a full-service hotel on a 30-acre site (Sheets 4 and 5 of 19). The hotel would be the centerpiece of the development encompassing approximately 5.2 acres. The proposed project site would be located on the property of the Laredo International Airport, which is owned by the City of Laredo. The purpose of the proposed project is to lease Laredo International Airport property for development. The need for the proposed project would be to improve the Laredo International Airport and supplement operations through increased revenue.

Waters of the U.S. located on the proposed project site consist of approximately 1,457 linear feet (0.5 acre) of intermittent stream, approximately 1.0 acre of forested wetlands, approximately 3.2

acres of an impoundment of an intermittent stream, and approximately 0.35 acre of emergent wetland that surrounds the impoundment (Sheet 3 of 19).

Construction of the proposed project would result in the discharge of approximately 130,000 cubic yards of fill material into waters of the U.S. The applicant would place approximately 1,457 linear feet (0.5 acre) of intermittent stream underground in approximately 1,620 linear feet of 90-inch pipes (Sheets 5-17 of 19). The applicant would fill approximately 3.2 acres of an impoundment of an intermittent stream and approximately 0.35 acre of adjacent emergent wetlands, which currently contain storm water runoff from the airport (Sheets 5-17 of 19). The applicant would construct an approximately 2.3-acre earthen detention pond within approximately 1.0 acre of forested wetlands to provide storm water management for the development (Sheets 5-17 of 19).

The proposed project is located within the Southern Texas Plains ecoregion. Topography throughout the project area is relatively flat and undefined. Dominant vegetation in the riparian zone of the intermittent stream includes Texas sugarberry (*Celtis laevigata*), live oak (*Quercus virginiana*), black willow (*Salix nigra*),eastern baccharis (*Baccharis halimifolia*), Washingtonia palm (*Washingtonia filifera*), and camphor weed (*Pluchea purpurascens*). Dominant vegetation in the forested wetland includes Washingtonia palm, black willow, Texas sugarberry, camphor weed, and fragrant ash (*Fraxinus cuspidate*). Dominant vegetation in the emergent wetlands includes cattail (*Typha* spp.), salt cedar (*Tamarix ramosissima*), black willow, Washingtonia palm, and camphor weed. Dominant vegetation in the uplands includes honey mesquite (*Prosopis glandulosa*), retama (*Parkinsonia aculeata*), prickly pear (*Opuntia* spp), and Texas silver leaf (*Leucophyllum frutescan*).

During project planning, the applicant considered several alternatives in an effort to avoid and minimize adverse impacts to waters of the U.S. The applicant considered other sites within the Laredo International Airport property, however no other sites would provide for economically feasible development. The applicant considered on-site stream relocation or realignment, however due to the amount of land needed to construct the proposed project, sufficient land was not available on-site to reconfigure or realign the stream. The applicant would minimize unavoidable adverse impacts to waters of the U.S. by constructing an approximately 2.3-acre earthen detention pond for storm water management on-site.

The applicant proposes to compensate for unavoidable adverse impacts to the aquatic environment off-site by enhancing and preserving approximately 2,173 linear feet (0.25 acre) of Chacon Creek by enhancing and preserving approximately 18 acres riparian area within the 100-year floodplain of Chacon Creek (Sheets 18 and 19 of 19).

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section

404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The USACE is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE in determining whether to issue, issue with modifications, or conditions, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

STATE WATER QUALITY CERTIFICATION: This project would result in a direct impact of greater than three acres of waters of the state or 1,500 linear feet of streams (or a combination of the two is above the threshold), and as such would not fulfill Tier I criteria for the project. Therefore, Texas Commission on Environmental Quality (TCEQ) certification is required. Concurrent with USACE processing of this Department of the Army application, the TCEQ is reviewing this application under Section 401 of the Clean Water Act, and Title 30, Texas Administrative Code Section 279.1-13 to determine if the work would comply with State water quality standards. By virtue of an agreement between the USACE and the TCEQ, this public notice is also issued for the purpose of advising all known interested persons that there is pending before the TCEQ a decision on water quality certification under such act. **Any comments concerning this application may be submitted to the Texas Commission on Environmental Quality, 401 Coordinator, MSC-150, P.O. Box 13087, Austin, Texas 78711-3087.** The public comment period extends 30 days from the date of publication of this notice. A copy of the public notice with a description of the work is made available for review in the TCEQ's Austin Office. The complete application may be reviewed in the USACE's office. The TCEQ may conduct a public hearing to consider all comments concerning water quality if requested in writing. A request for a public hearing must contain the following information: the name, mailing address, application number, or other recognizable reference to the application; a brief description of the interest of the requestor, or of persons represented by the requestor; and a brief description of how the application, if granted, would adversely affect such interest.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project would be located in a county where the whooping crane (*Grus americana*), least tern (*Sterna antillarum*), bald eagle (*Haliaeetus leucocephalus*), piping plover (*Charadrius melodus*), ashy dogweed (*Thymophylla tephroleuca*), Johnston's frankenia (*Frankenia johnstonii*), jaguarundi (*Herpailurus (=Felis) yaguarondi cacomitli*), and ocelot (*Leopardus (=Felis) pardalis*) are known to occur or may occur as migrants. The whooping crane, least tern, ashy dogweed, Johnston's frankenia, jaguarundi, and ocelot are endangered species and the bald eagle and piping plover are threatened species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The USACE has reviewed the latest complete published version of the National Register of Historic Places and found no listed properties to be in the project area. However, presently unknown scientific, archaeological, cultural or architectural data may be lost or destroyed by the proposed work under the requested permit.

FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

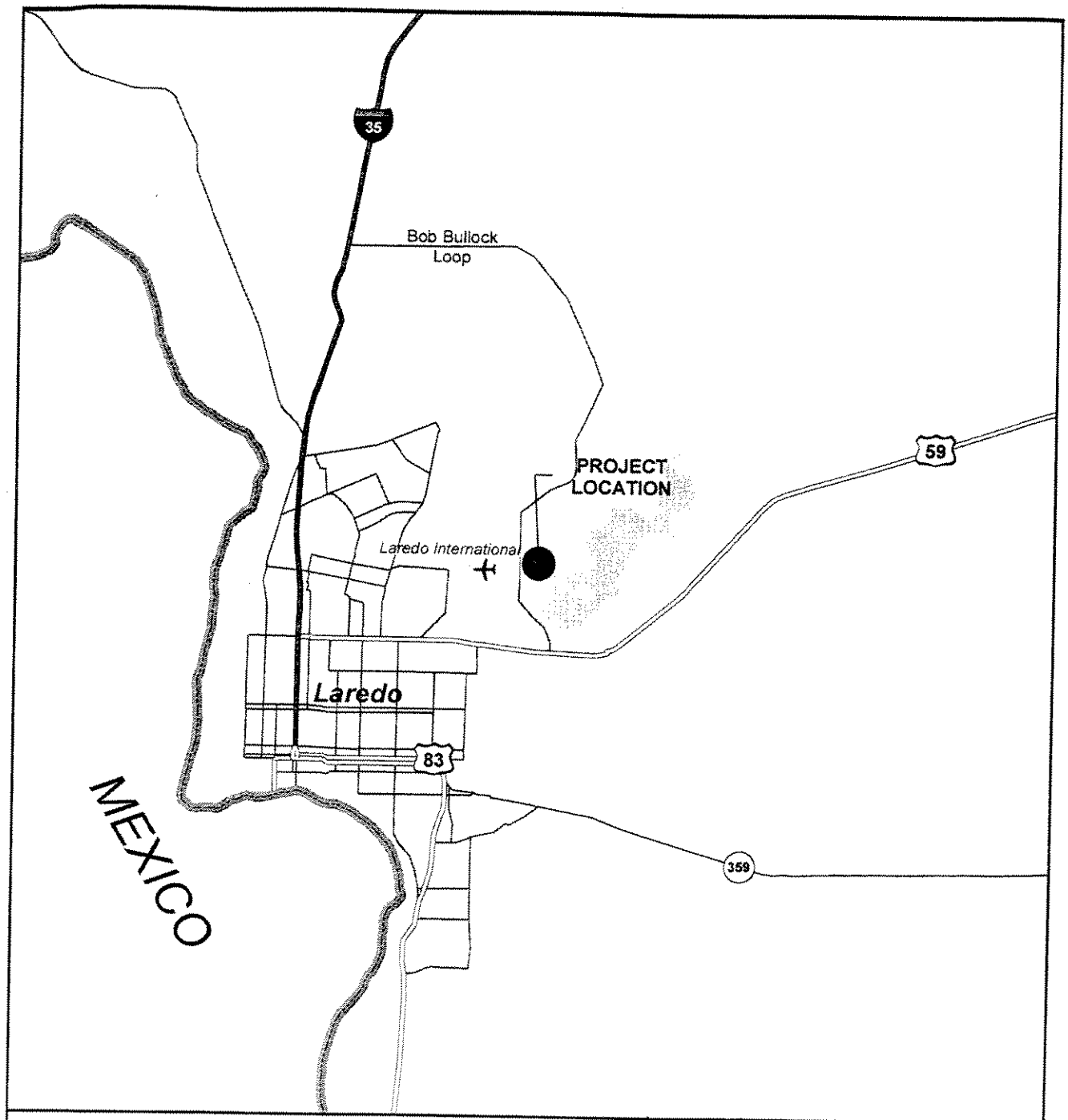
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

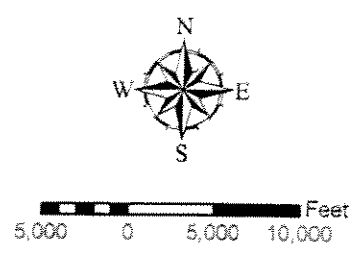
PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

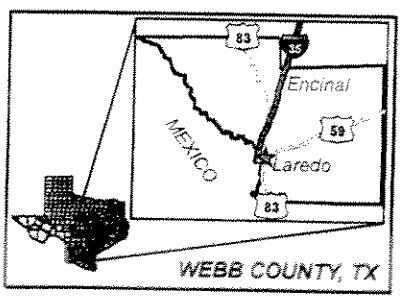
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before May 13, 2007, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Ms. Kelly Allen; Regulatory Branch, CESWF-PER-R; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Branch in Room 3A37 of

the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to (817) 886-1731. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS




BASE MAP: ESRI-STREETMAP USA DATA, WEBB COUNTY, TEXAS

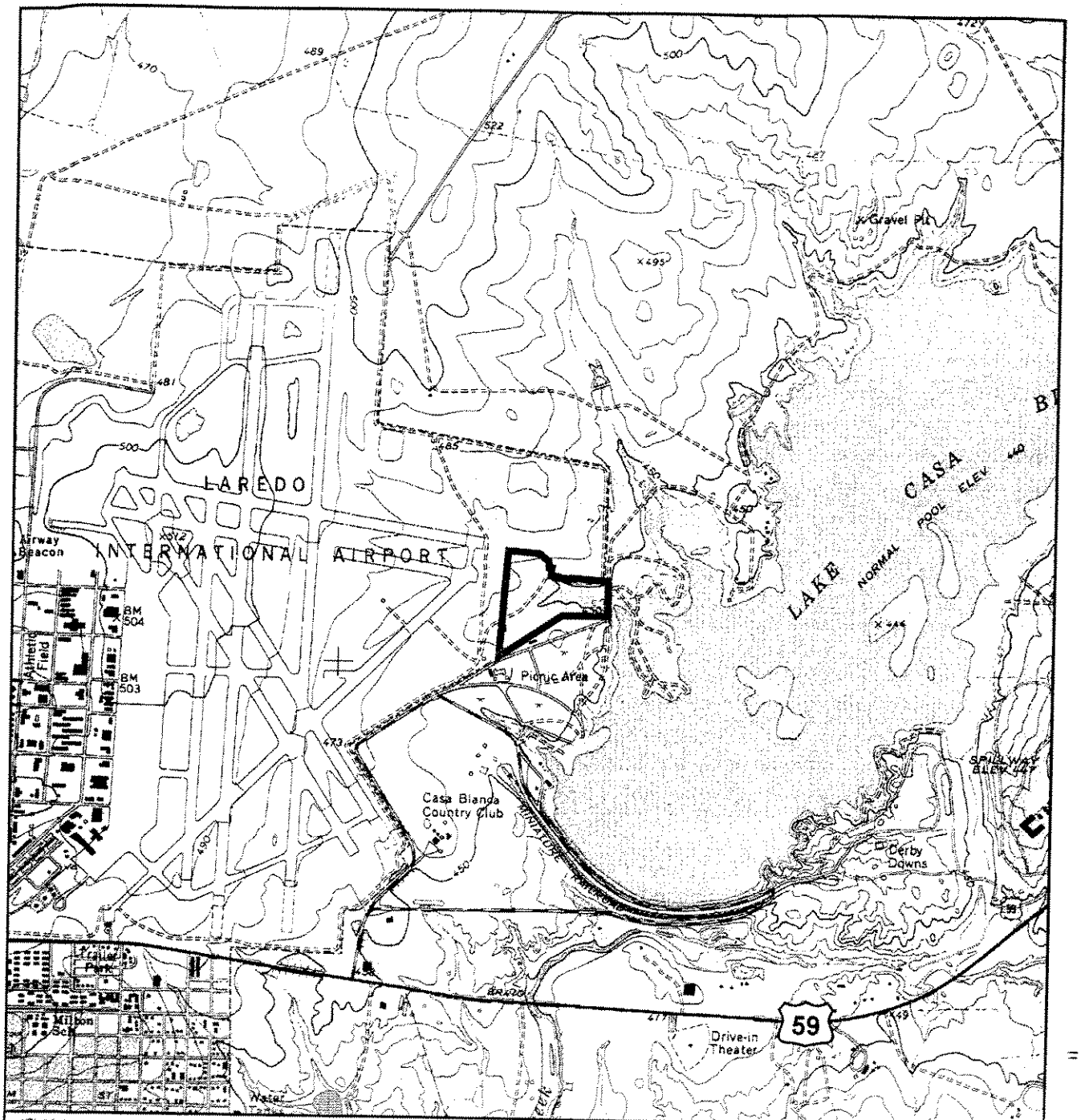
PBSJ

SHEET 1 OF 19

PROJECT VICINITY MAP
LAREDO TOWN CENTER
WEBB COUNTY, TX
USACE NO. 200600411

PROJ.NO. 480355.00

DATE: 03/21/07




*Field data collected by PBS&J using a GPS unit with approximate accuracy of +/- 3 feet.

N
W E
S

Approximate project boundary

Feet
1,000 0 1,000 2,000

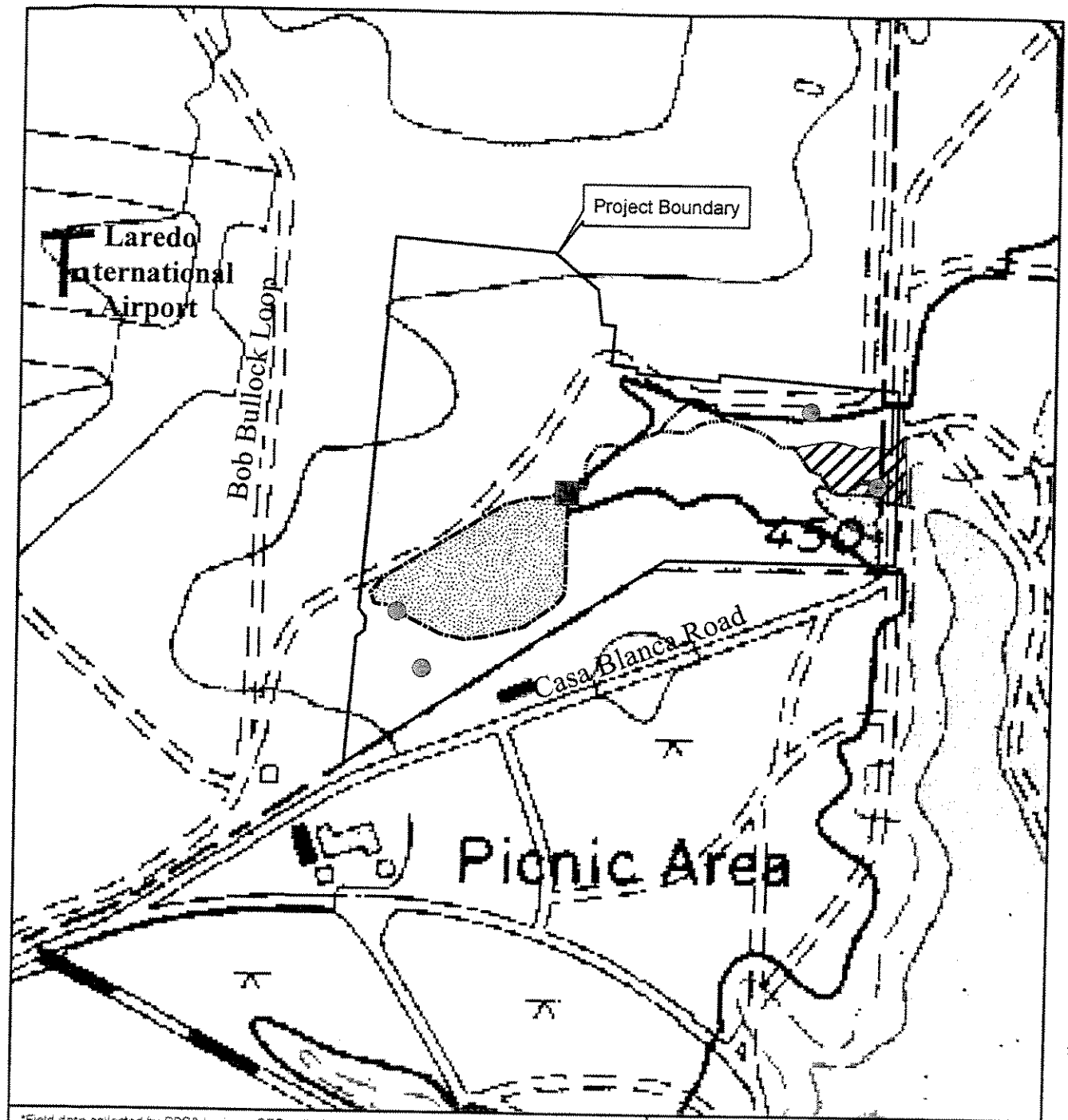
BASE MAP: USGS TOPOGRAPHIC MAP, LAREDO EAST, TEXAS

PBS&J

SHEET 2 OF 19

PROJECT LOCATION MAP
LAREDO TOWN CENTER
WEBB COUNTY, TX
USACE NO. 200600411

PROJ NO. 480355.00 DATE: 03/21/07




*Field data collected by PBS&J using a GPS unit with approximate accuracy of +/- 3 feet.

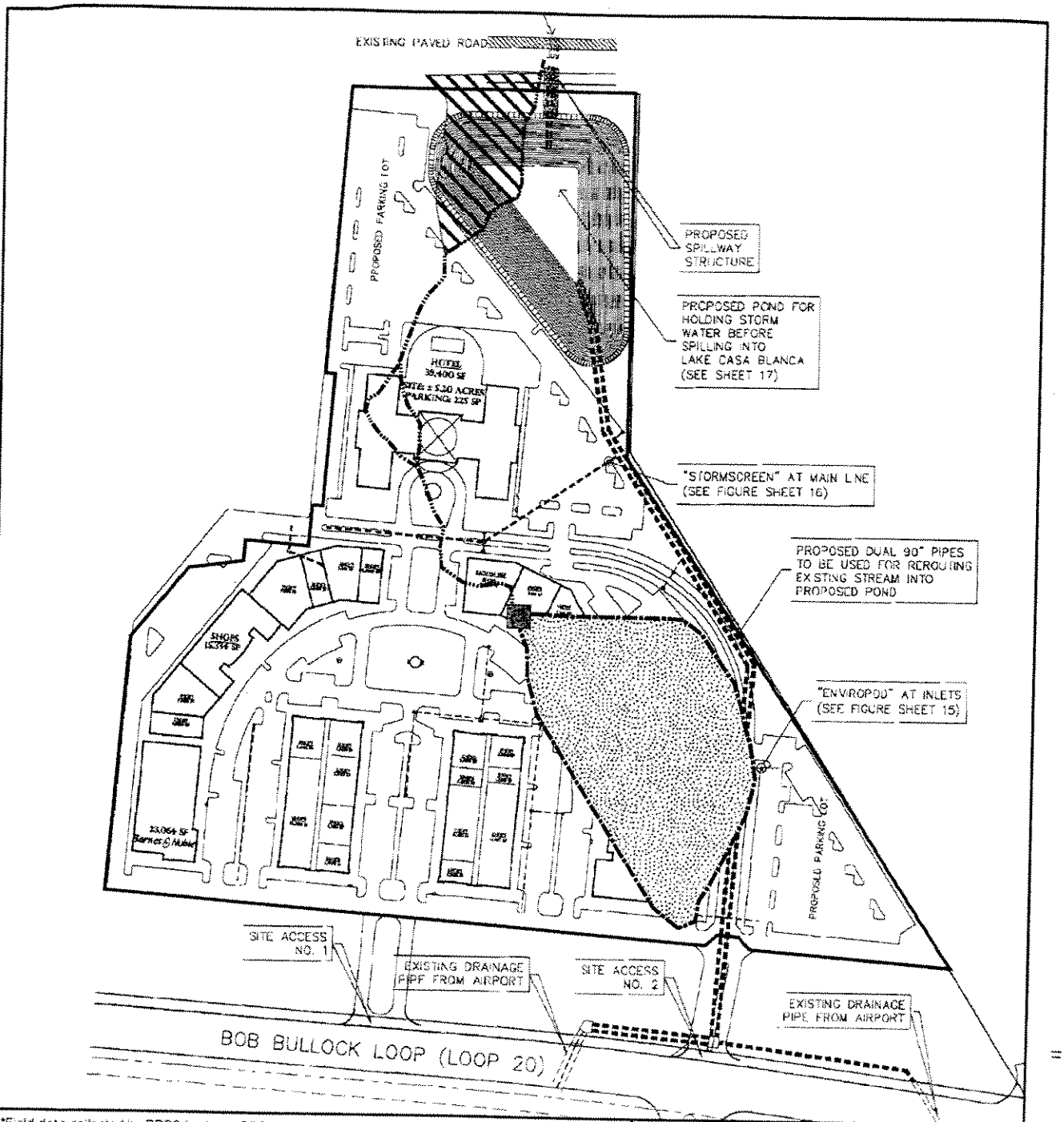
BASE MAP: USGS 7.5' TOPOGRAPHIC MAP, LAREDO EAST, TEXAS

PBSJ

SHEET 3 OF 19

PROPOSED JURISDICTIONAL DETERMINATION MAP OF WATERS OF THE U.S., INCLUDING WETLANDS
TOPOGRAPHIC MAP
LAREDO TOWN CENTER
WEBB COUNTY, TX
USACE NO. 200600411

PROJ NO. 480355.00 DATE: 03/21/07




*Field data collected by PBS&J using a GPS unit with approximate accuracy of +/- 3 feet.

N W E S

Spillway

Approximate Project Boundary

**Waters of the United States (Including Wetlands)**

Forested Wetland

Emergent Wetland

Impoundment

Intermittent Stream

250 0 250 Feet

PBSJ

SHEET 4 OF 19

PLAN VIEW OF
PROPOSED DEVELOPMENT
WITH WATERS OF THE U.S.
LAREDO TOWN CENTER
WEBB COUNTY, TX
USACE NO. 200600411

PROJ.NO. 480365.00 DATE: 03/21/07

Sheet 5 of 19

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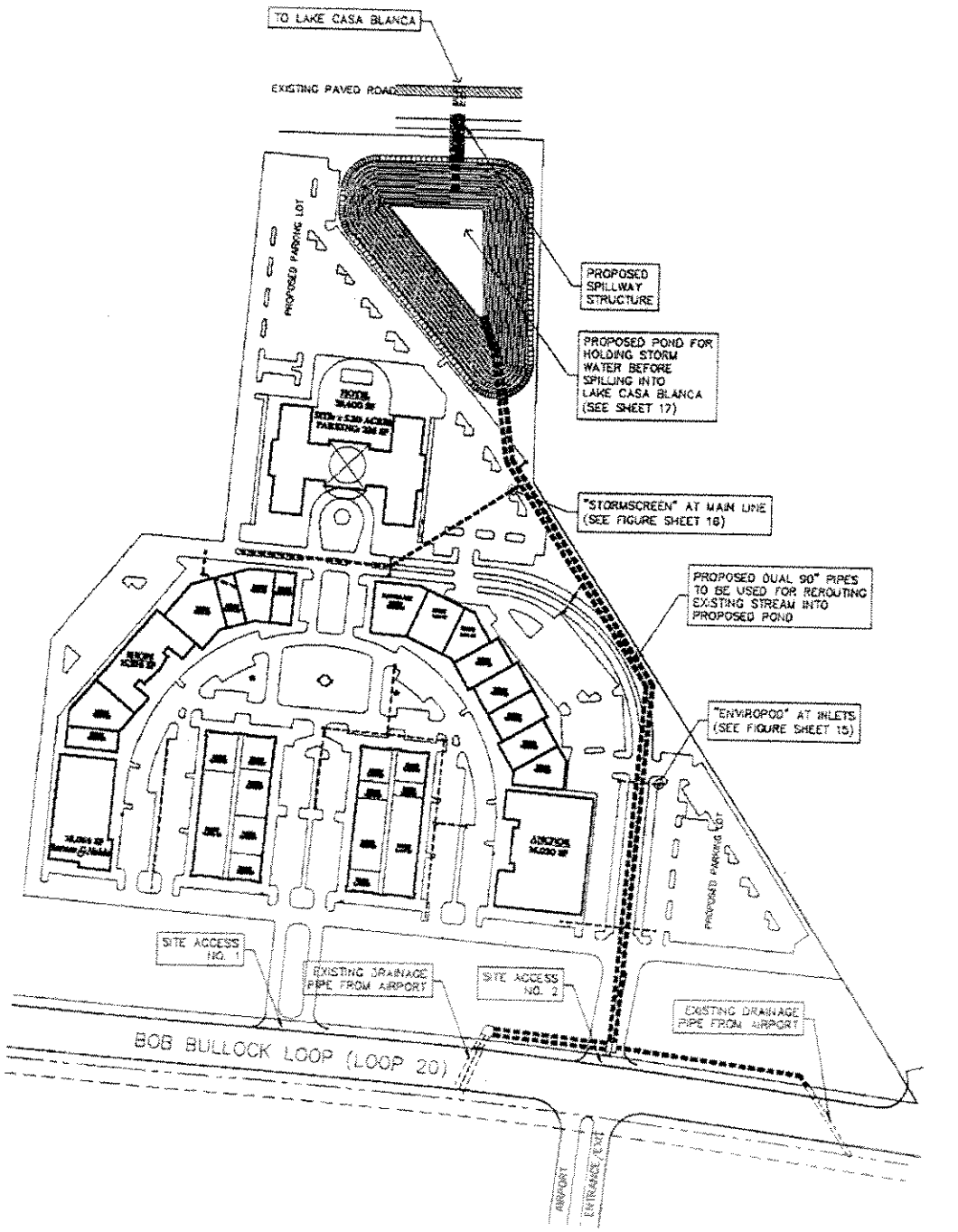
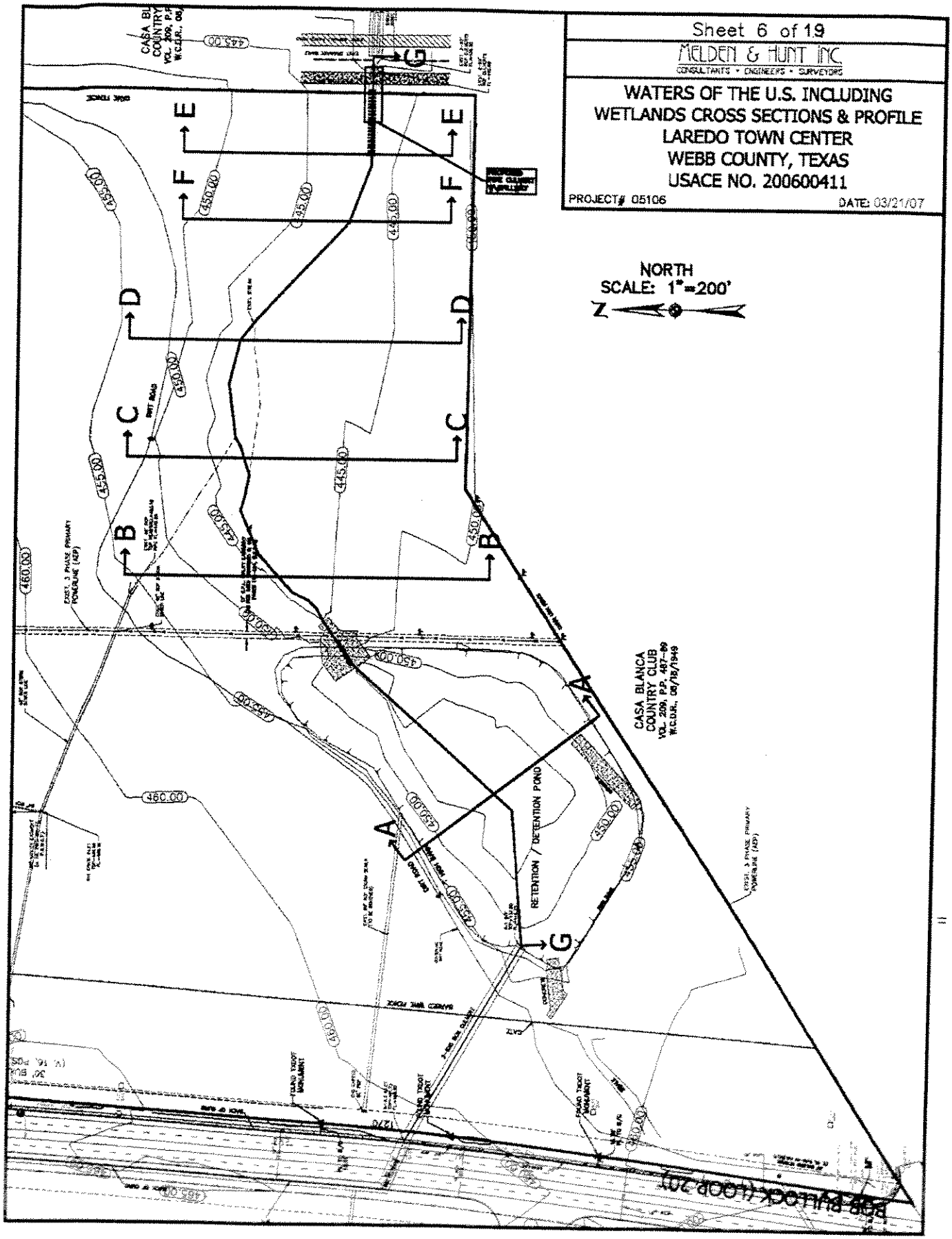
# PLAN VIEW OF PROPOSED DEVELOPMENT
## LAREDO TOWN CENTER
## WEBB COUNTY, TEXAS
## USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

NORTH
SCALE: 1"=300'




Sheet 6 of 19
MELDEN & HUNT INC
CONSULTANTS • ENGINEERS • SURVEYORS
WATERS OF THE U.S. INCLUDING
WETLANDS CROSS SECTIONS & PROFILE
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411
PROJECT# 05106
DATE: 03/21/07
NORTH
SCALE: 1"=200'
CASA BLANCA COUNTRY CLUB
VOL. 209, P.P. 487-89
W.C.D.R., 06/18/1949
RETENTION / DETENTION POND
A
B
C
D
E
F
G

Sheet 7 of 19

MELDEN & HUNT INC
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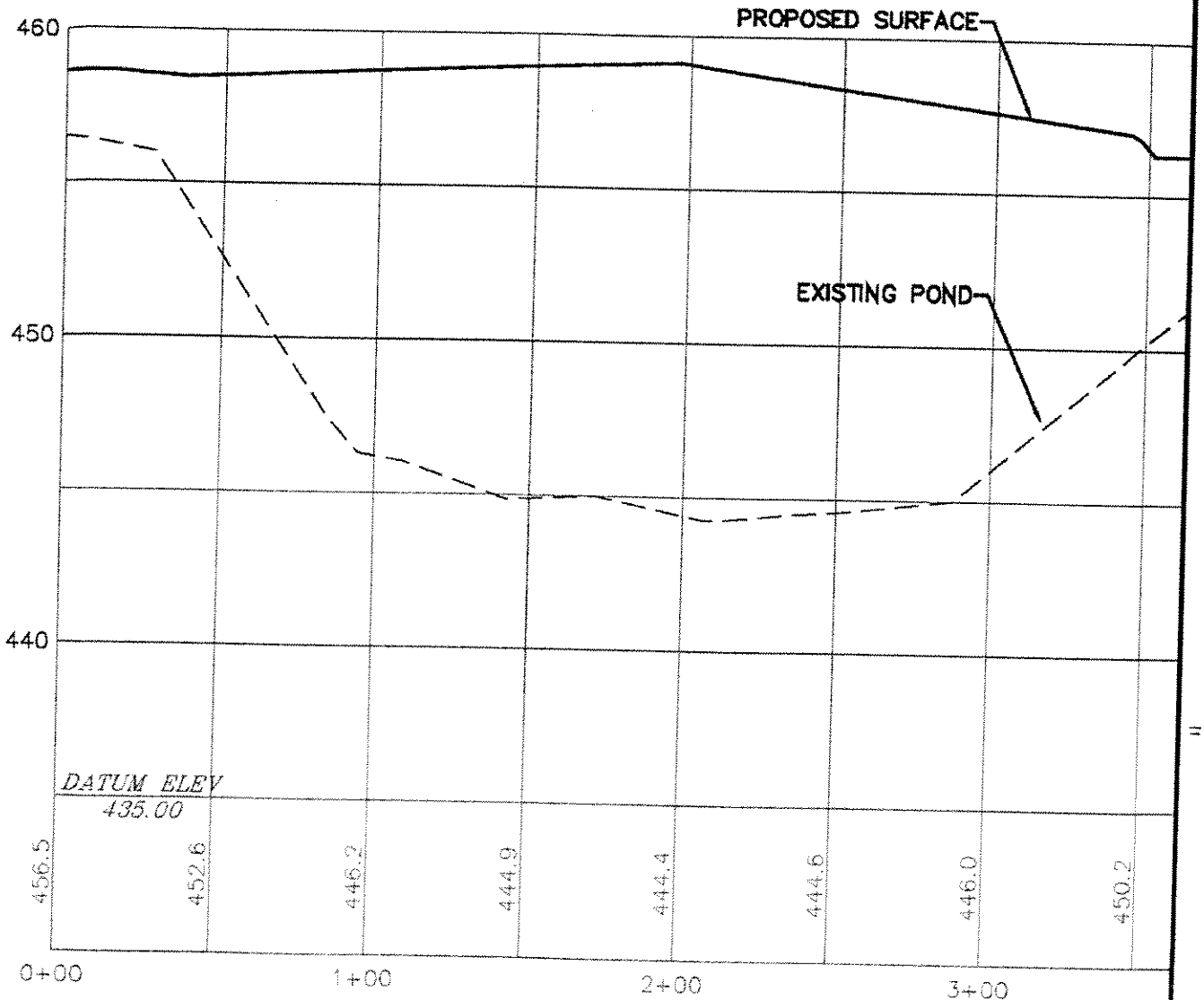
CROSS SECTION A-A
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

SCALE. HOR. 1" = 50'
SCALE. VER. 1" = 5'




"A-A"

Sheet 8 of 19

MELDEN & HUNT INC.
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CROSS SECTION B-B
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

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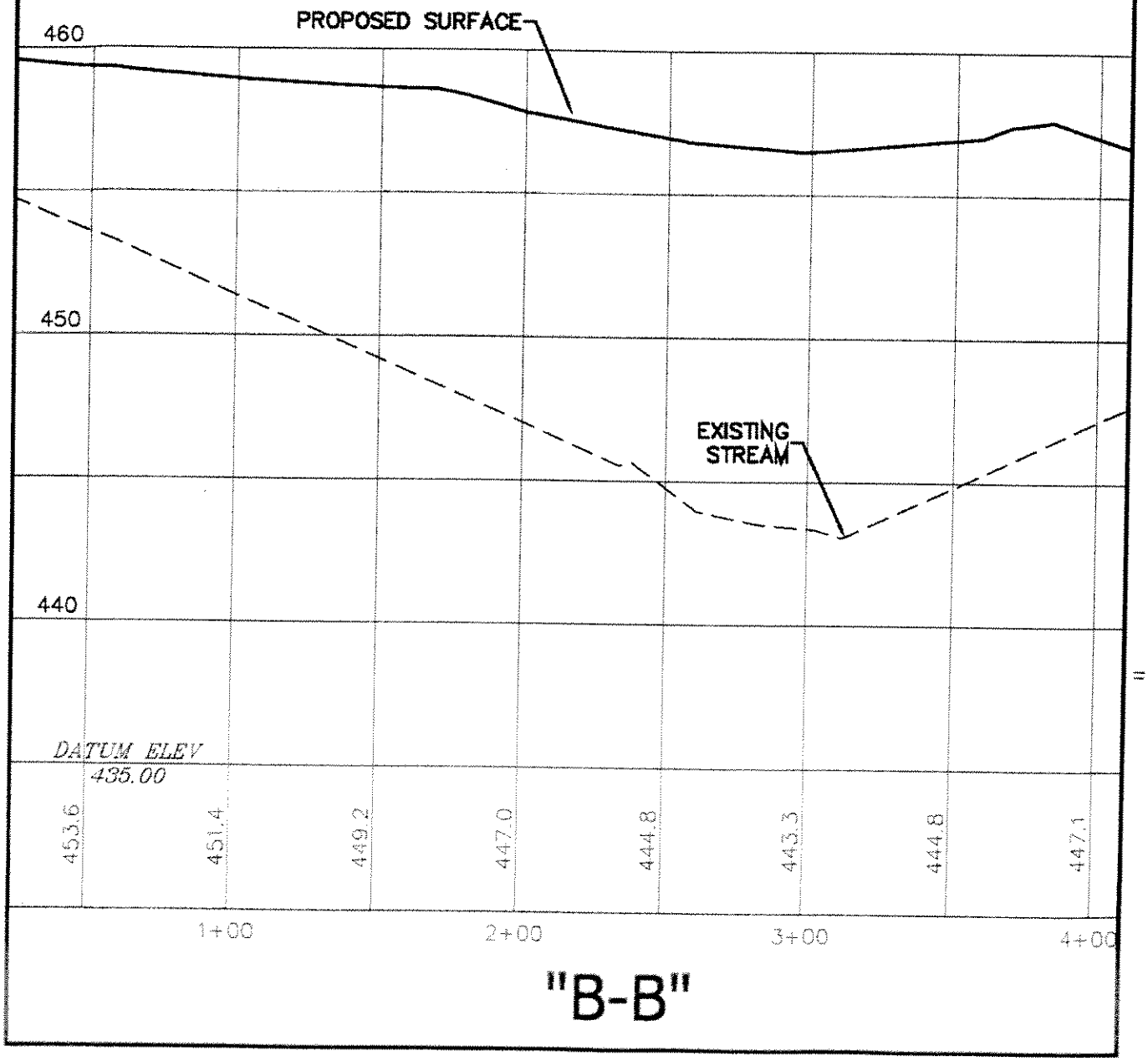


"B-B"

Sheet 9 of 19

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

CROSS SECTION C-C
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

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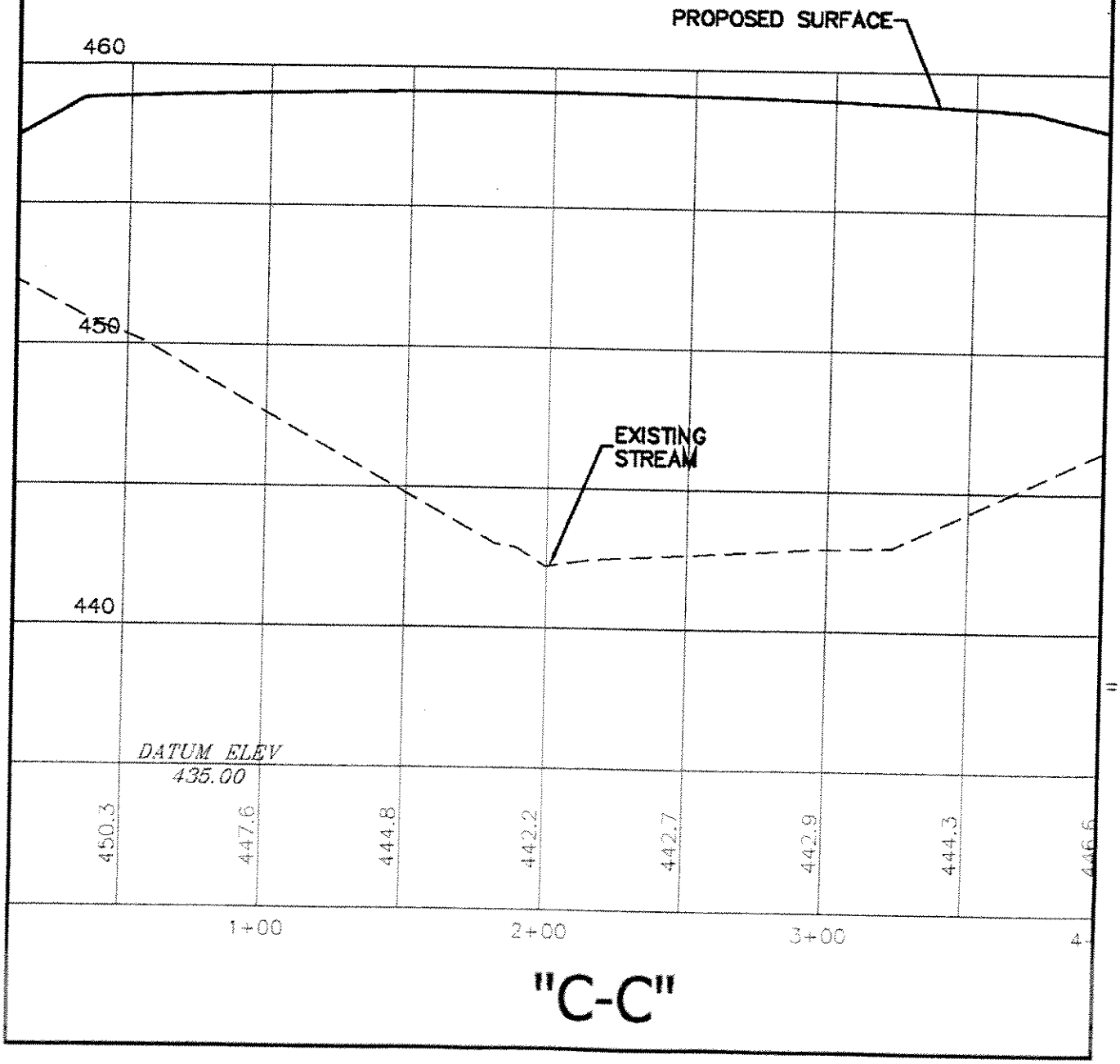


"C-C"

Sheet 10 of 19

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CROSS SECTION D-D
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

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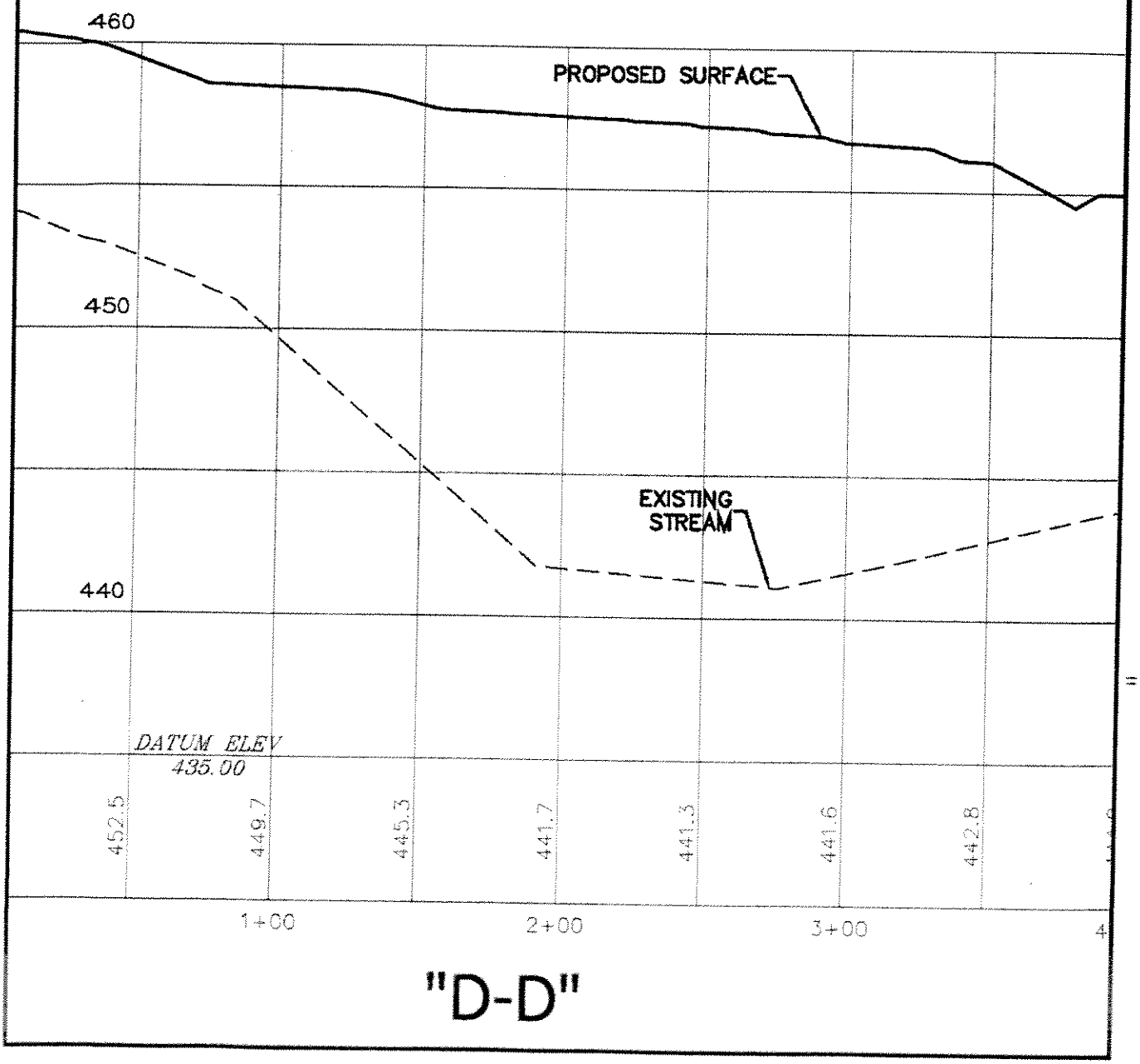
SCALE. VER. 1" = 5'




"D-D"

MELDEN & HUNT INC.
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CROSS SECTION E-E
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

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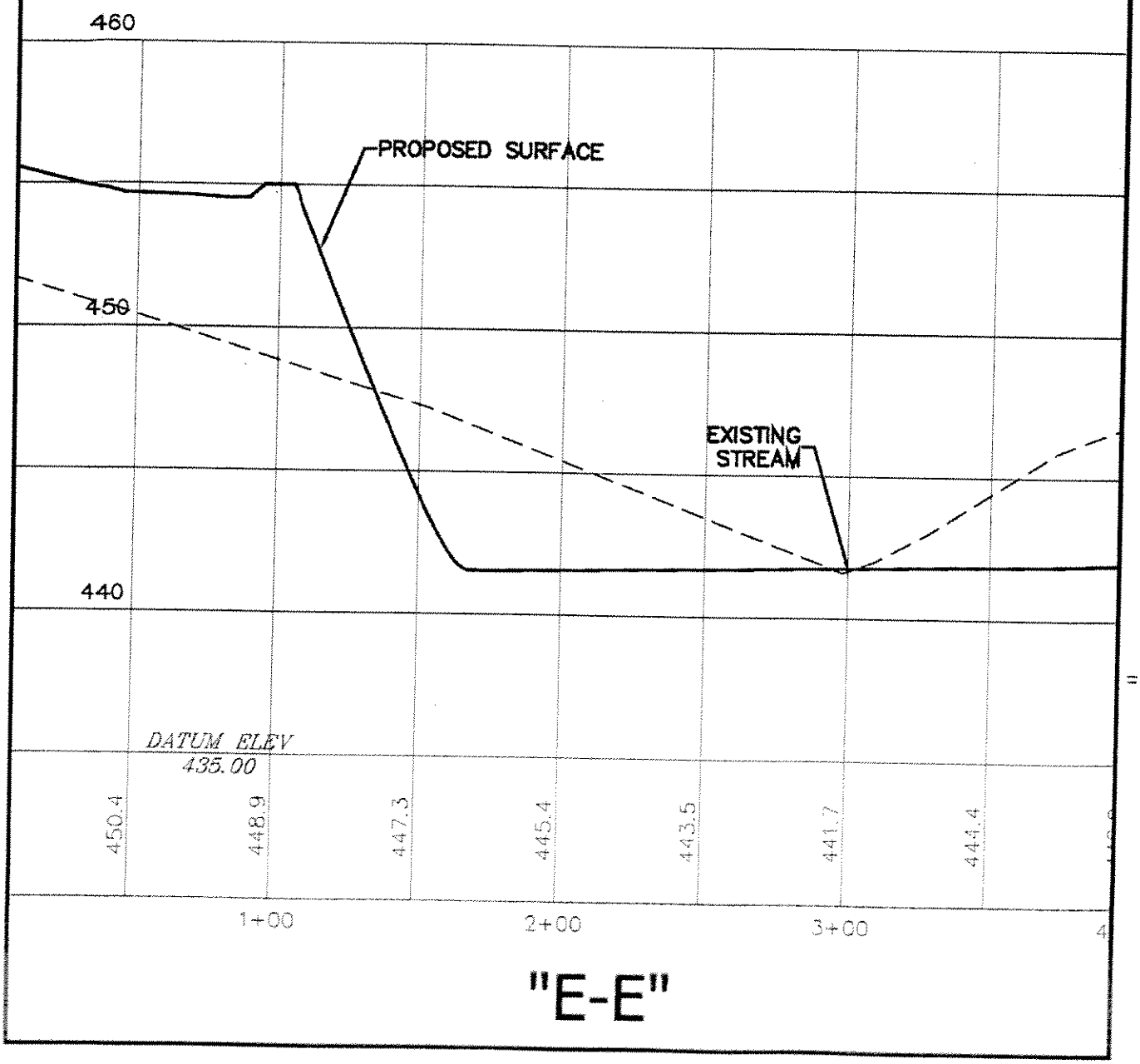


"E-E"

Sheet 12 of 19

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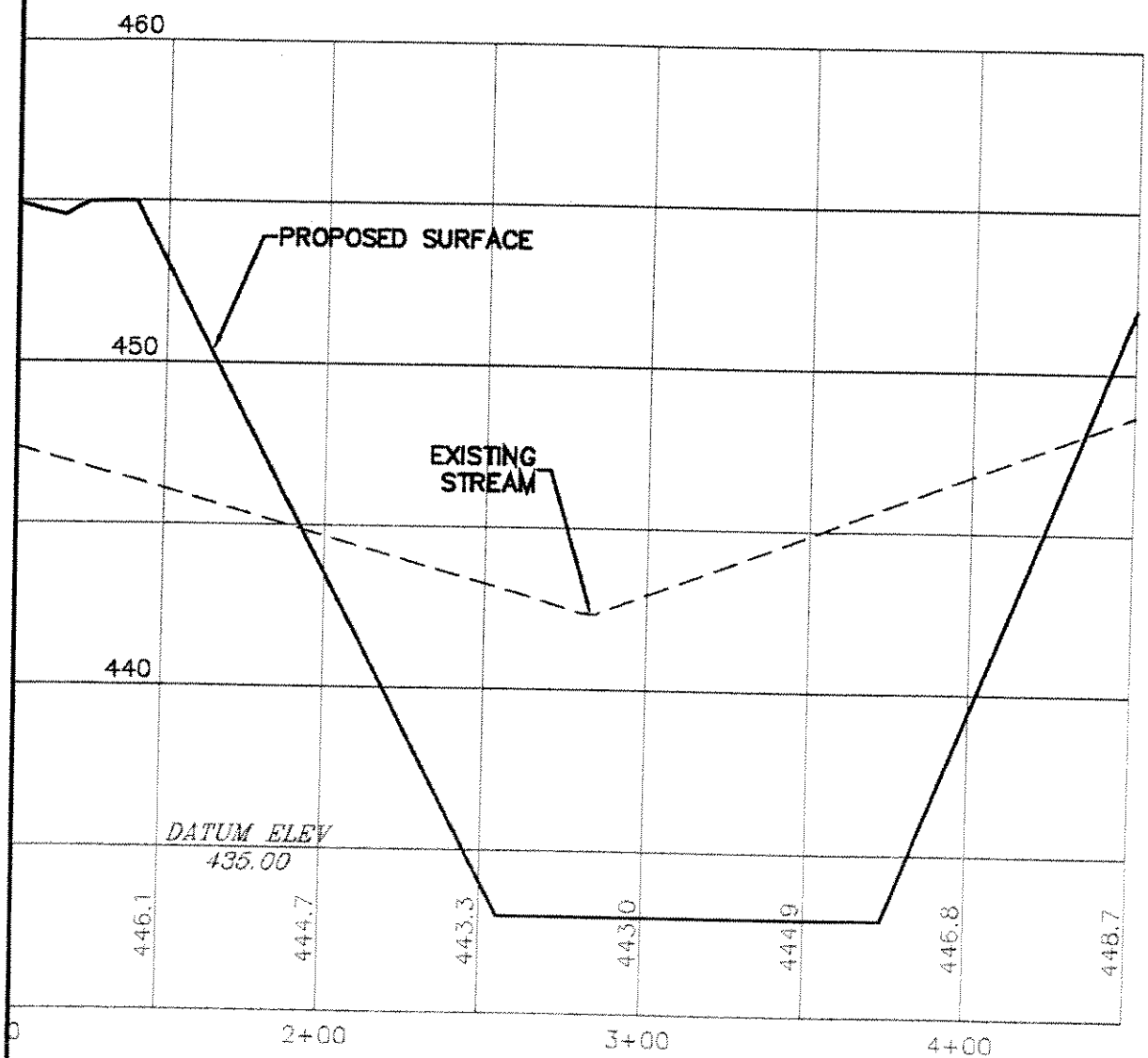
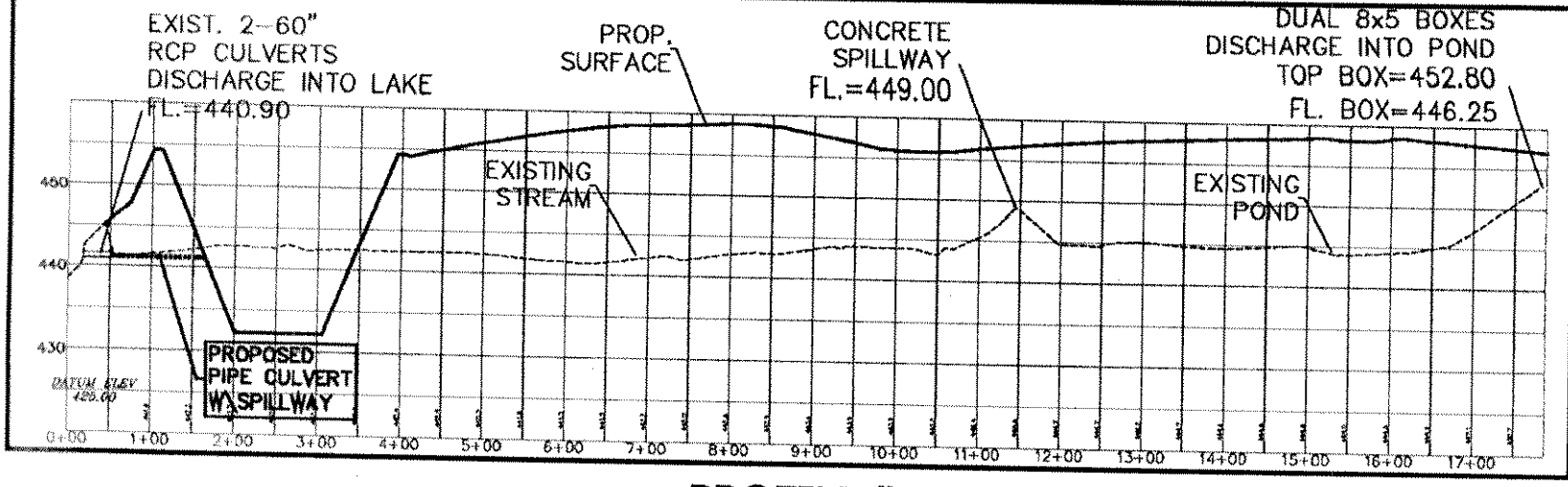
CROSS SECTION F-F
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

SCALE. HOR. 1" = 50'
SCALE. VER. 1" = 5'




"F-F"




# PROFILE "G-G"

SCALE. HOR. 1" = 200'

Sheet 13 of 19

MELDEN & HUNT INC.
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PROFILE G-G
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

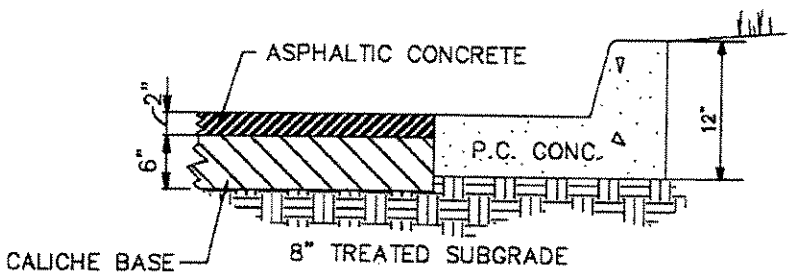
PROJECT# 05106

DATE: 03/21/07

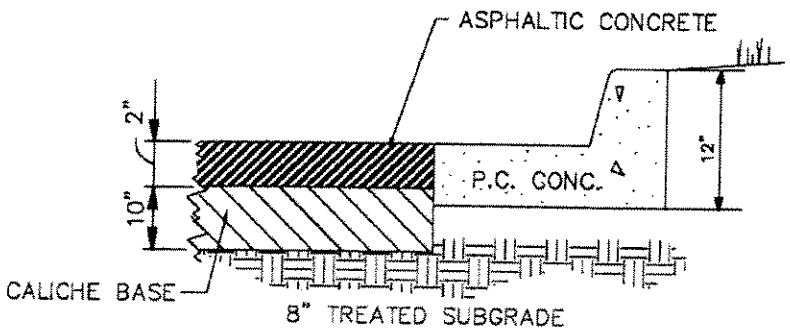
MELDEN & HUNT INC
CONSULTANTS • ENGINEERS • SURVEYORS

PARKING PAVEMENT DETAILS
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07




STANDARD DUTY




HEAVY DUTY

# FLEXIBLE PAVEMENT CONSTRUCTION PAVING DETAILS

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

STORM WATER MANAGEMENT DETAIL
AT PARKING LOT INLETS
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

# Product Brief

## EnviroPod™

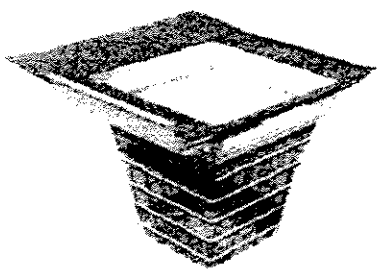
### Overview

The EnviroPod™ captures trash, debris and oil in the catch basin before the pollutants can enter the storm sewer.

Using low-cost, passive screening, the EnviroPod can be customized to meet site-specific requirements with several mesh options.

### Design and Operation

The Drop-in EnviroPod is designed for grate inlet catch basins and consists of a stainless steel frame that is supported by the catch basin underneath the grate opening. Modular panels attached to the frame guide the flow of water to the screening bag. The screening bag captures trash, debris and associated pollutants and allows the water to pass through to the outlet pipe. Absorbent material inside the screening bag captures oil and grease. Openings in the frame allow water to bypass the screening bag during high flow conditions.



VRATSINAS CONSTRUCTION CO.
Reviewed By: BL
Date: 11-20-06
Job Name & No. 1671
Spec. Section 02720

### Configurations

The Drop-in EnviroPod is designed for flat grate catch basins and utilizes a stainless steel frame which supports the screening bag. The frame has field adjustable arms that allow the EnviroPod to fit a variety of catch basin sizes. There are four sizes to fit most square and rectangular catch basins.

### Maintenance

Maintenance of the Enviropod is easy and straight forward. Simply lift the screening bag from the frame and dump out the captured pollutants or insert a vacuum hose directly into the bag. If necessary, replace the oil absorbent media bags

### Capabilities

- Captures trash, debris, oil, grease and other pollutants as runoff enters the storm drain system
- Easy access — maintenance-friendly design
- Fits a range of catch basin sizes — ideal for retrofits
- Bypasses high flows during peak storm events — prevents flooding
- Options to enhance oil removal

### Design Considerations

- Determine geometry of catch basin
- Grate inlet vs. curb inlet
- Assess peak flows at inlet/bypass requirements
- Consider obstructions (pipe, elbows, ladder rungs)
- Evaluate need for enhanced oil capture

Contact us today for a quote or more information at 800.548.4667

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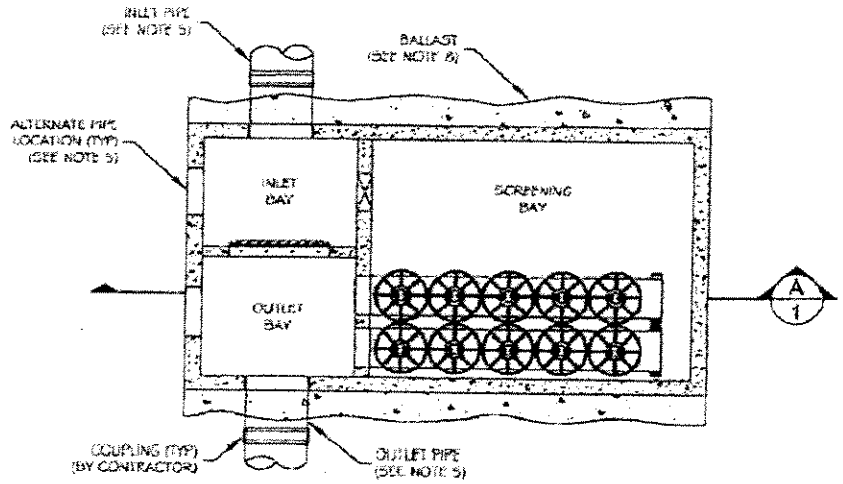
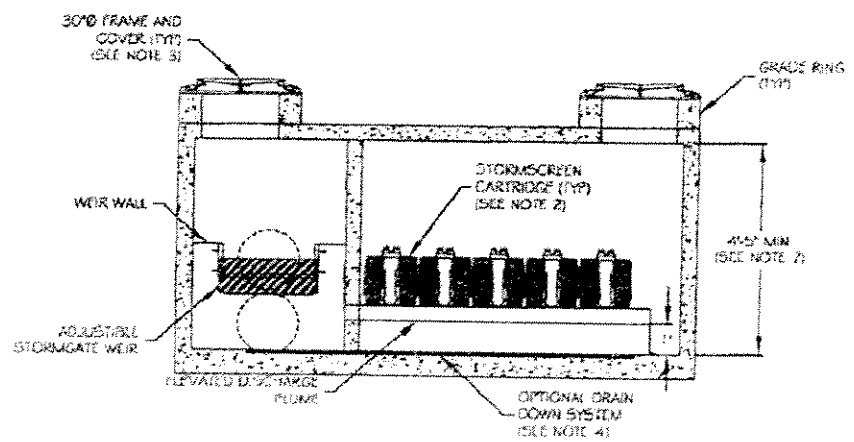
# STORM WATER MANAGEMENT DETAIL
# AT STORM SEWER MAIN LINES
# LAREDO TOWN CENTER
# WEBB COUNTY, TEXAS
# USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07




8' x 16' STORMSCREEN - PLAN VIEW (1/1)




8' x 16' STORMSCREEN - SECTION VIEW (A/1)



CONTECH STORMWATER SOLUTIONS

8' x 16' PRECAST STORMSCREEN
PLAN AND SECTION VIEWS
LAREDO TOWN CENTER

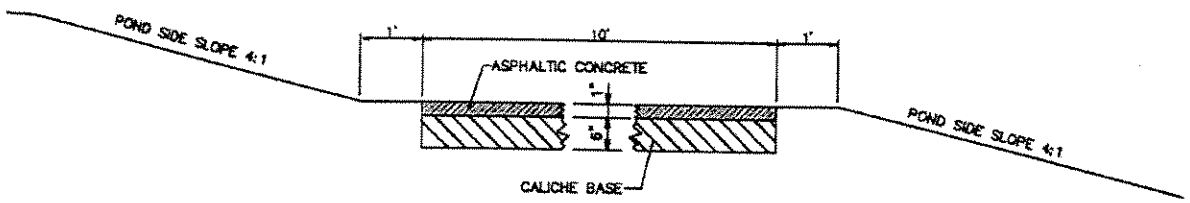
DRAWING 1

MELDEN & HUNT INC.
CONSULTANTS • ENGINEERS • SURVEYORS

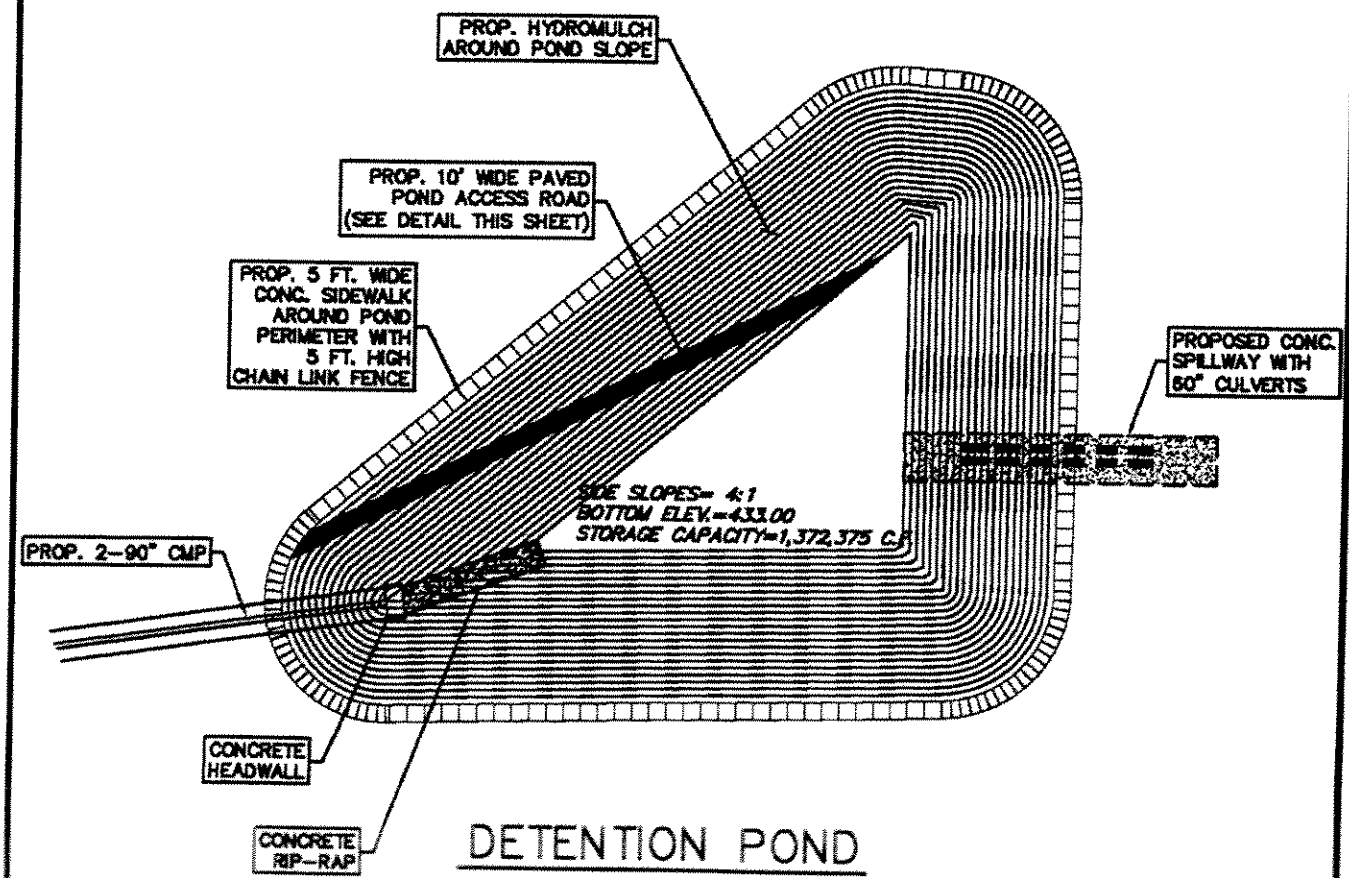
DETENTION POND SITE
LAREDO TOWN CENTER
WEBB COUNTY, TEXAS
USACE NO. 200600411

PROJECT# 05106 DATE: 03/21/07

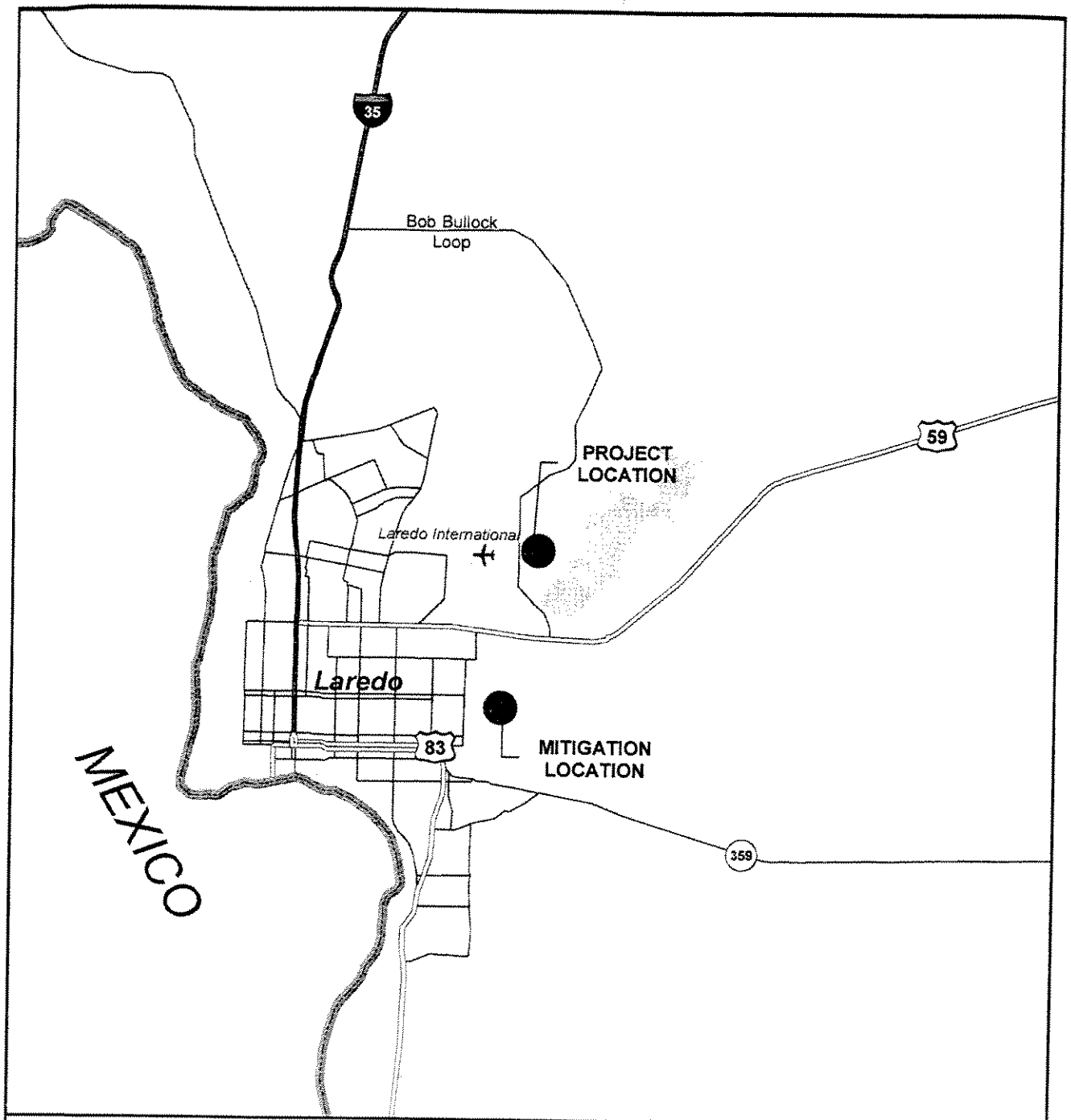
N NORTH
SCALE: 1"=100'

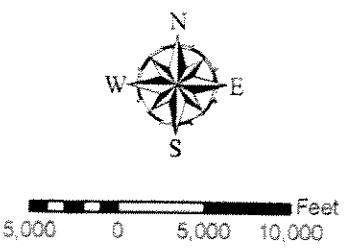


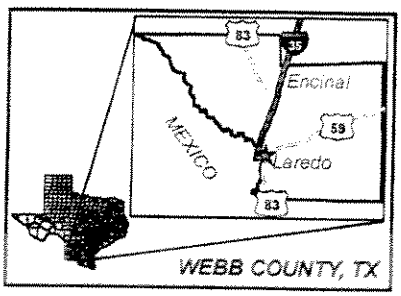

## 10' POND ACCESS ROAD




## DETENTION POND




BASE MAP: ESRI STREETMAP USA DATA: WEBB COUNTY, TEXAS

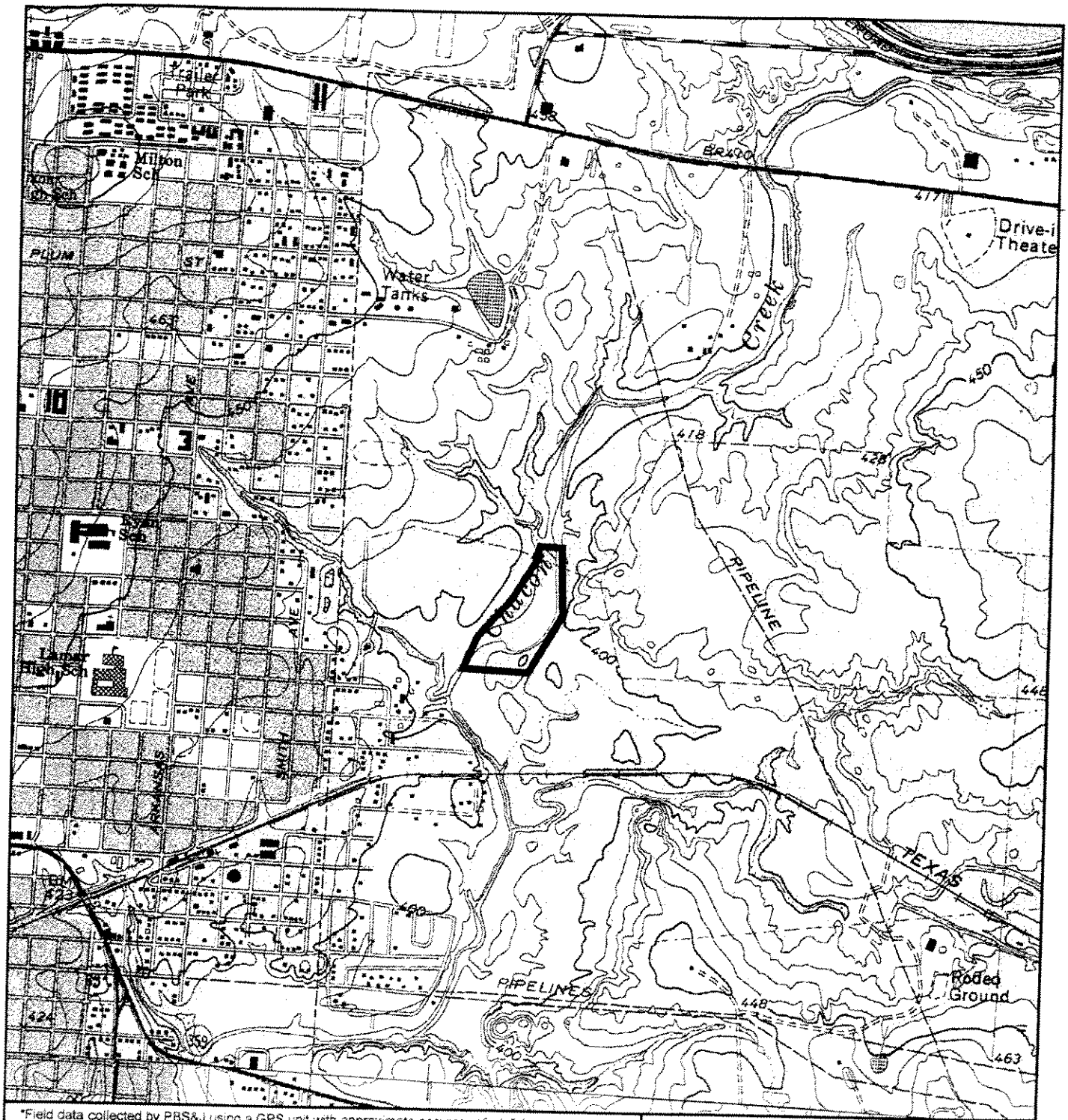
PBS&J

SHEET 18 OF 19

WETLAND MITIGATION VICINITY MAP
LAREDO TOWN CENTER
WEBB COUNTY, TX
USACE NO. 200600411

PROJ. NO. 480355.00

DATE: 03/21/07




*Field data collected by PBS&J using a GPS unit with approximate accuracy of +/- 3 feet.

N
W E
S

Approximate mitigation boundary

750 0 750 1,500 Feet

BASE MAP: USGS TOPOGRAPHIC MAP, LAREDO EAST, TEXAS

PBS&J

SHEET 19 OF 19

WETLAND MITIGATION LOCATION MAP
LAREDO TOWN CENTER
WEBB COUNTY, TX
USACE NO. 200600411

PROJ NO. 480355.00 DATE: 03/21/07